

### Remarks

This amendment is in response to the Office Action mailed on February 21, 2008. The many helpful suggestions in the Office Action are highly appreciated have thereafter been incorporated in the amendments.

The applicant thanks very much Mr. Morrison for the courtesy and help of an interview with Applicant Yongyong Xu on July 8, 2008. With current amendment, reconsideration of allowance of the claims is respectfully requested.

### Claim Objections

Examiner has pointed out in the Objections,

*Claims 1,60 and 73 are objected to because of the following informalities:*

- a. *As per claim 1, lines 5-6: "said users" should be "each user of said plurality of users".*
- b. *As per claim 1, lines 7 and 9, respectively: "said server" should be "said community server".*
- c. *As per claim 1, lines 7-8: "each resource" should be "each resource of said plurality of resources".*
- d. ...
- e. ...
- j. *As per claim 60, lines 15-22: "additional functions including: recording accesses into said user access database; mapping each accessed resource to a virtual community with a uniform resource locator (URL); updating said virtual community with access from said user to said resource." It is unclear if this is list is intended to include any one or all of these features (i.e. "and" or "or").*

*Note that this is not an exhaustive listing and that similar problems existing in remaining claims should be corrected.*

*Appropriate correction is required.*

Claims mentioned above have been amended and thus the withdrawal of the objections on claims 1, 60 and 73 are respectfully requested.

Claim Rejections - 35 USC 112

As in the office action,

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.*

*Claims 1 and 60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.*

*As per claim 1, the claim recites the limitation "monitoring each of said users access said plurality of resources", and how this type of access could be properly evaluated is not clear. It is not understood how each user could access each resource or if the applicant means that a particular user would access a particular resource or if a particular user would access any of the group of particular resources. Therefore the claim does not point out distinctly what the applicant regards as his invention.*

*Claim 1 recites the limitation "said particular resource" in line 12. There is insufficient antecedent basis for this limitation in the claim.*

*As per claim 60, the claim recites the limitation "mapping each accessed resource to a virtual community with a uniform resource locator (URL)", and how this type of mapping could be properly evaluated is not clear. A mapping is a representation of a correspondence, association, or link of one object or element to another object or element, and a URL is typically a link to an object (or resource in this case). It is not clear how the URL itself could represent this mapping or if the URL source contains information about this mapping or if it is the intention of the inventor so otherwise use the URL for mapping. Therefore the claim does not point out distinctly what the applicant regards as his invention.*

Claim 1 and 60 have been amended to be definite, thus withdrawal of the objections on claims 1 and 60 are respectfully requested.

In addition, in Claim 1, a user is capable of accessing any of the group if plurality of resources. The word "particular" has been removed for clarity.

Claim 60, word "URL" is removed for clarity since the mapping itself is already self- explanatory.

35 U.S.C. Section 102(e) Rejections

9. *Claims 1-3,5-10,15-19,22,25-28,60-65,67-74 and 76-81 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen et al. ('Cohen' hereinafter) (Patent Number 7,035,926).*

*Out of the above Claims, Claim 1, 60 and 73 are independent claims.*

*As per claim 1, Cohen teaches*

*A virtual community system managing a plurality of users and a plurality of resources accessible by said plurality of users comprising: (see abstract and background)*

*A community server; (web server, column 2, lines 14-16) at least one component monitoring each of said users accessing said plurality of resources; (tracking resources users are accessing, column 2, lines 34-36)*

*said server associating each resource accessed by a particular user to said particular user; (user locations registered with map, column 2, lines 35-38) said server being operable to form a dynamic community for each of said resources; (list of users on each web page, column 2, lines 50-52; 'operable to' indicates intended use; *Minton v. Nat'l Ass'n of Securities Dealers, Inc.*, 336 F.3d 1373, 1381, 67 USPQ2d 1614, 1620 (Fed. Cir. 2003) "whereby clause in a method claim is not given weight when it simply expresses the intended result of a process step positively recited."*

*Examples of claim language, although not exhaustive, that may raise a question as to the limiting effect of the language in a claim are: (A) "adapted to" or "adapted for" clauses; (B) "wherein" clauses; and (C) "whereby" clauses. Therefore intended use limitations are not required to be taught, see MPEP § 2106 Section 11(C), MPEP 2111.04 [R-3], hereinafter "intended use").*

*said community including those users accessing said particular resource. (users accessing web page, column 2, lines 50-52)*

*As per claim 60, Cohen teaches*

*A virtual community system associating a plurality of users and a plurality of resources accessible by said users comprising: (see abstract and background)*

*a plurality of virtual communities each having a virtual community area, where resources are mapped to communities by uniform resource locators (URLs), and each of said virtual communities contains community and user access information for said resources; (user locations registered with map, column 2, line 35-38; list of users; column 2, lines 50-52)*

*a user access database containing resource access records from each of said users for each of said resources; (nodes visited by visitor, column 6, lines 54-65)*

*a virtual community server operable to monitor accesses from each of said*

*users to each of said resources, said server also performing additional functions including:  
recording accesses into said user access database; mapping each accessed resource to a virtual community with a uniform resource locator (URL); updating said virtual community with access from said user to said resource. (column 6, lines 52-66; note: 'operable to' indicates intended use)*

*As per claim 73, Cohen teaches*

*A method of forming resource-based virtual communities with a plurality of users and a plurality of resources, the method comprising the steps of:*

*(see abstract and background)*

*allowing each of said users to access said plurality of resources; (users accessing webpages, column 2, lines 15-20)*

*causing a server to monitor each user accessing a resource; (tracking resources users are accessing, column 2, lines 34-36)*

*causing said server to associate each resource access with a particular user accessing it; (user locations registered with map, column 2, lines 35-38)*

*causing said server to form a dynamic community for each of said resources, said community comprising those users who have accessed a particular resource. (map listing users accessing webpage, column 50-52)*

The Office action discourages the use of words "operable to" as 'operable to' indicates intended use and does not provide enough limitation. Applicant respectfully does not agree that the use of the words "operable to" in the context of this application means intended use or renders the recited features optional since applicant learned usage of word "operable to" from issued patent claims.

In the context of this patent application, applicant contends that the word "operable to" refers to feature or limitation instead of intended use. However, in order to move prosecution forward, Applicant has amended to replace "operable to" with "operating/ed to". If possible or allowable, applicant opts to the original word "operable to".

*Claims 1-3,5-10,15-19,22,25-28,60-65,67-74 and 76-81 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen et al. ('Cohen' hereinafter) (Patent Number 7,035,926). Applicant respectfully traversed the rejection of the above claims.*

Applicant has reviewed Cohen with great care, including all the passages cited by the Office in rejecting claims. Although Cohen's invention also relates to the field of collaboration and resource tracking, there are many significant differences between Cohen's patent and this invention, as outlined below, show that Cohen failed to teach or fairly suggest all the limitations that are indicated in the claims.

Cohen disclosed a method for monitoring activity on a computer network. It includes providing a map of a group of resources, which are accessible via the computer network, and tracking access of the resources in the group by computer users, so as to identify one or more of the users with respective resources that they are accessing. An identification of the one or more users and their respectively-accessed resources is registered with the map. (abstract)

Cohen's invention defined methods for providing a map that enables users to communicate other users who are visiting other web pages in a certain group of pages without visiting those pages themselves, as well as to determine in advance which web pages they would like to visit, based on a knowledge of who else is visiting those pages at any given time (Col 2, line 11-14). In particular, a map is used to "identify the places and the links between resources" within "a selected group of mutually-linked virtual places, or other resources available via a computer network".

Cohen did not teach a "community server" in Column 2, lines 14-16: "a need for operators of network servers, such as Web server that supports a Web site, to be able to know at any given time the numbers and identities of users accessing different server resources, such as Web pages on this site." In context of Cohen's method, the "web server" is the web server of a web site whose purpose is to provide web pages for a web site (resource provider or resource server) so users can access them. In our resource based communities, the

community server is independent of the resource server, and one of its functionality is to form a community based on the corresponding resource. Furthermore, Cohen's web server does not teach that the web server has the limitation of "form server to form a persistent virtual community for each of said resources".

In addition, although Cohen's methods allow a user to know a list of users visiting a same web page and can start chatting with them, Cohen neither teaches nor suggests "forming a persistent virtual community" that is based on said resource.

The office action identifies Cohen' "list of users" on each web page as a community. However, in Cohen's invention, a list of users is used by either another user or the network administrator to see who is currently accessing a network resource and the total number of users accessing the resource. Cohen neither teaches nor suggests "forming a persistent virtual community" based on the resource.

Community is more than a list of users, a community is an independent entity. For example, when every user finished accessing a resource, the list of users is empty now, but the community still exists regardless whether there is any user accessing the resource. Moreover, a list of users in Cohen's invention is not persistent as users come and leave to chat with each other so that no persistence is maintained. Unlike in our invention, this community is persistent which allows users visited in the past the users visited in the future can share information within the same persistent virtual community. Cohen's invention only allows current users to see list of other users who are currently accessing a same web page so that a chat can be started.

Furthermore, Cohen did not disclose "for each said of pluralities of resources, a persistent virtual community is formed", as in our system. In

Cohen's invention, for each page in the site, the map indicates how many users are visiting the page at a given time. In addition, a database is maintained of all of the visitors to the site and the nodes that they have visited. However, nowhere did Cohen teach or suggest to form a community for each resource, rather, the main purpose of Cohen is to allow a user visiting a same page to discover each other (awareness) and then be able start chatting or initiate synchronous communication to other people. Another purpose is to allow network managers to find out or monitor who are visiting which resources. There is no teaching, suggestion or motivation to form a community based on each resource.

What is more, Cohen does not teach "dynamically creating said persistent virtual community when said user is a first user accessing said resource" because the prerequisite of Cohen's system is using or providing a map for provided and used in beforehand. Nor does it disclose "creating a persistent virtual community when a first user accessing said resource".

As noted above, Cohen does not teach, suggest or discloses each and every element of the system in Claim 1, Claim 60 or method of Claim 73. applicant respectfully submits that Cohen cannot be taken to anticipate Claim 1, Claim 60 or 73, nor to render the claims obvious. Thus, the amended claim 1, 60 or 73 are believed to be patentable over Cohen and withdrawn of USC 102 (e) rejection for the claim 1, 60 or 73 will be highly appreciated.

Additionally, in view of the patentability of claim 1, 60 or 73, the remaining claims, which depend directly or indirectly from the claims 1, 60 or 73 and incorporate all of the limitations thereof, recite limitations not shown or suggested by Cohen and are believed to be patentable as well. In the interests of brevity, applicant will not argue the patentability of the dependent claims.

For these reasons, and for the reasons set forth with respect of amended independent claim 1, 60 or 73, withdrawal of these rejections is respectfully requested.

35 U.S.C. Section 103(a) Rejections

10. *Claims 4, 11~14, 20-21, 24, 29-30, 66 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. ('Cohen' hereinafter) (Patent Number 7,035,926) in view of Matthews et al. ('Matthews' hereinafter) (Publication Number 2003/0050986 A1).*

11. *Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. ('Cohen' hereinafter) (Patent Number 7,035,926) in view of Katzman et al. ('Katzman' hereinafter) (Publication Number 2002/0046051 A1). Cohen does not explicitly indicate "the community server is further operable to track community member's activities." However, Katzman discloses "the community server is further operable to track community member's activities" (paragraph [0082]; note: 'operable to' indicates intended use).*

12. *Claims 82-101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. ('Cohen' hereinafter) (Patent Number 7,035,926) in view of Dinan et al. ('Dinan' hereinafter) (Publication Number 2002/0097267 A1).*

Matthews discloses a system and methods for providing enhanced functionality for communication between members of community and/or groups within the community where a member of a community may access a web page and the web page may be customizable for the member. The web page may assist the member in subscribing to groups associated with the community. Subscription to a group automatically populates the member's personal calendar with events from the group's calendar. Subscription to a group automatically causes group email messages to be sent to the member.

Matthews is cited in the Office Action as disclosing additional limitation for dependent claims so as that when combined with Cohen's, it would have been obvious to one of ordinary skill in the art.

As noted previously, Cohen does not disclose all the limitation of resource based virtual community system or methods as described in the independent claims 1, 60 or 73. And hence, even in conjunction with the Matthews, would not make out a *prima facie* case of non-obvious.

For instance, with respect to claim 11, although Matthews mentions in paragraph [57] "a method for a member to receive email addressed to the group." However, in the context, "email addressed to the group" is actually the group distribution email list, it does allows a new member, on subscription, to start receiving emails sent to the group, and stop receiving emails after unsubscribing. Hence, it does not disclose or suggest to "provide notification to community members when a new user joins the community". So he does not disclose the claimed limitation.

Katzman's patent "Electronic concession stand", described an on-line concession stand (MCS) application that includes an order wizard, a supplier console and a database of information. The MCS application provides for users to view and purchase products on-line from suppliers. Any one or more a variety of communication techniques and devices may be used in completing the transaction including instant messaging. A database organization includes a data organization to facilitate the transaction as well as electronic browsing. (abstract)

With respect to claim 23, in the paragraph [0082], Katzman mentions that "MCS has full integration into the myteam data structures where its members maintain information on their demographics, interests and activities, and teams and leagues may track their needs for equipment, food, and other supplies." Although Katzman allows members to maintain their activities, it does not teach or suggest the "community server" to "track" those activities.

Furthermore, even if they were combined, with the same reason noted above that Cohen does not teach or suggest the claim 1, the combination does not suggest or make obvious the claim 23.

Dinan disclosed a system and method for supporting interactive communities within a graphical virtual reality on the Internet where a user selects a set of desired characteristics associated with a personality for creation of a first intelligent virtual object. The first intelligent virtual object interacts with other intelligent virtual objects within the immersive online community utilizing predetermined interface tools such that said other intelligent virtual objects receive real-time responses to stimuli initiated by said other intelligent virtual objects. The first intelligent virtual object interactively passes user generated content between said other intelligent virtual objects and said user under administrative controls. (abstract)

For instance, with respect to claim 82, Diana mentioned in paragraph [0037] about various tools. "User tools 12 are tools controlled by a user within this VR environment, including identity tools 120, interaction tools 122, economy tools 124, persistent creation tools 126, and peer governance tools 128. Identity tools 120, described in FIGS. 5 & 6, allow users to create unique and persistent identities for themselves within a virtual community. Interaction tools 122, illustrated in FIGS. 7 & 8, allow users to interact both with system-generated characters as well as other users within the virtual community. Persistent creation tools 126, described in FIG. 9, allow users to generate content that exists persistently within the community. Economy tools 124, illustrated in FIG. 10, allow users to participate with the virtual economy supported by the system. Peer governance tools 128, described in FIG. 1, allow users to participate in setting community standards and maintaining community safety.

In Diana's virtual reality system, a user has to interact with the system through its character. In order to conduct any interactions, such as chatting or

perform other actions with another user, a user has to select the appropriate tools first. Without selecting first the appropriate tools, a user cannot perform any activities in the system. Hence, Diana does not teach or suggest that "allowing a client side software installed on a user's computer to discover the resource accessed by the user; and the client side software connecting the user to the virtual community based on the accessed resource".

Furthermore, the office's combination of Diana with Cohen is without proper basis, and in any event, even if they were combined, various limitations of the claim are not met and thus a *prima facie* case of obviousness has not been made out, as described above.

For at least the above reasons, applicant submits that, as neither Cohen nor Matthews (or Katzman or Dinan) show or suggest the claimed system, method or step described above, it would not have been obvious to combine the references to arrive at the claimed method of amended claims. For these reasons, and the reasons set forth with respect to amended independent claim, withdrawal of those rejections is respectfully requested.

### **Conclusion**

Applicants respectfully submit that claims 1-30, 60-101 are in condition for allowance and request an early notice to that effect.

The applicant thanks very much for the courtesy, help and work of the Examiner Mr. Morrison. Reconsideration of the present grounds of rejection and an early Notice of Allowance is respectfully requested.

In the event the Examiner wishes to discuss any aspect of this response,  
please contact the Applicant at the telephone number identified below.

Respectfully submitted,

Date: July 19, 2008

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